Calendar No. 963

100TH CONGRESS
2d Session

SENATE

REPORT
100-528

TO TRANSFER CERTAIN LANDS IN THE STATE OF MONTANA AND TO RELIEVE THE TOWN OF NEIHART, MONTANA, OF ANY OBLIGATION TO PAY CONSIDERATION FOR LANDS CONVEYED TO IT UNDER AUTHORITY OF THE SMALL TRACTS ACT

SEPTEMBER 22 (legislative day, SEPTEMBER 7), 1988.—Ordered to be printed

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Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 2457]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2457), to transfer certain lands in the State of Montana and to relieve the Town of Neihart, Montana, of any obligation to pay consideration for lands conveyed to it under authority of the Small Tracts Act, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 2457 is to convey a 3.2-acre parcel of federal land to the community of Neihart, Montana, for a cemetery, and to relieve Neihart of obligations to pay for two small tracts, whose titles have already been transferred to the town.

BACKGROUND AND NEED

In 1985, the City Council of Neihart, Montana signed a small tracts application to acquire two small parcels of federal land, 0.014 and 0.057 acres respectively. Upon completion of the necessary paperwork, the signed deed was exchanged for a check in the amount of $1,443 on January 2, 1986. On January 6, 1986, the newly elected City Council took office and stopped payment on the check. The deed, however, was recorded on January 8, 1986, transferring title from the United States to the town.

S. 2457 would relieve the town of Neihart, Montana from any and all obligations to pay consideration to the United States for the conveyance of those two parcels. It also directs the Secretary of Ag-

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riculture to convey a deed to the community of Neihart for a 3.2-acre parcel of Federal land which has been used by the town of Neihart as a cemetery since the turn of the century. Title to the property would revert to the United States if the town attempts to convey ownership of the property or permits any use of the parcel which is incompatible with its use for cemetery purposes.

LEGISLATIVE HISTORY

S. 2457 was introduced by Senator Melcher on May 27, 1988. A hearing was not held before the Subcommittee on Public Lands, National Parks and Forests.

At the business meeting on Wednesday, September 14, 1988, the Senate Committee on Energy and Natural Resources ordered S. 2457 favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on Wednesday, September 14, 1988, by unanimous vote of a quorum present, recommends that the Senate pass S. 2457, as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays, as follows:

Yeas	Nays
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Metzenbaum	
Mr. Melcher	
Mr. Bradley	
Mr. Bingaman	
Mr. Wirth	
Mr. Fowler	
Mr. Conrad	
Mr. McClure	
Mr. Hatfield*	
Mr. Weicker*	
Mr. Domenici	
Mr. Wallop	
Mr. Murkowski*	
Mr. Nickles	
Mr. Hecht	
Mr. Evans	

*Indicates voted by proxy.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the Congressional Record for the advice of the Senate.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2457. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact of personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2457, as reported.

EXECUTIVE COMMUNICATIONS

On July 14, 1988, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on S. 2457. These reports had not been received at the time S. 2457 was filed. When the reports become available, the chairman will request that they be printed in the Congressional Record for the advice of the Senate.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 2457, as reported.

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